BEFORE THE LOK ADALATH

ORGANIZED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

FRIDAY, THE 24TH NOVEMBER 2006 / 3RD AGRAHAYANA 1928

PRESENT:

THE HONOURABLE MR.JUSTICE P.K.SHAMSUDDIN
(RETD. JUSTICE, HIGH COURT OF KERALA)
&
THE HONOURABLE MR.JUSTICE T.V.RAMAKRISHNAN
(RETD. JUSTICE, HIGH COURT OF KERALA)

OP.No. 11445 of 2003(K)

PETITIONER:

PRESIDENT,
N.S.S. KARAYOGAM NO.786,
CHERTHALA SOUTH P.O.,
ALAPPUZHA DISTRICT.

BY ADV. SRI.S.P.ARAVINDAKSHAN PILLAY
SMT.N.SANTHA
SMT.RESMI G. NAIR

RESPONDENTS:
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1. THE INDUSTRIAL TRIBUNAL, ALAPPUZHA.

2. K.K.BALAKRISHNA PANICKER,
'RAJ BHAVAN', (KUTTATHUPARAMPU)
ARIPARAMPPU, CHERTHALA SOUTH P.O.,
ALAPPUZHA DISTRICT.

BY ADV. SRI.G.SUKUMARA MENON (FOR R2)
SMT.DEEPTHI S.MENON

THIS ORIGINAL PETITION HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT:

APPENDIX

PETITIONER'S EXHIBITS:

EXT. P1: COPY OF THE CLAIM STATEMENT SUBMITTED BY THE 2ND RESPONDENTS IN ID NO.75/2000 BEFORE THE 1ST RESPONDENT.

EXT. P2: COPY OF THE OBJECTION FILED BY THE PETITIONER IN ID 75/2000 BEFORE THE 1ST RESPONDENT.

EXT. P3: COPY OF THE REPLICATION IN ID 75/2000 FILED BY THE 2ND RESPONDENT BEFORE THE 1ST RESPONDENT.

EXT. P4: COPY OF THE REJOINDER IN ID 75/2000 FILED BY THE 2ND RESPONDENT BEFORE THE 1ST RESPONDENT.

EXT. P5: COPY OF THE AWARD DATED 16.1.2003 IN ID NO.75 OF 2000.

RESPONDENT'S EXHIBITS:

EXT. R2(A): COPY OF MEMO NO.2/97-98 DT. 5.12.1997 OF THE PETITIONER ISSUED TO THE 2ND RESPONDENT.

EXT. R2(B): COPY OF THE REPRESENTATION DT. 16.12.1997 OF THE 2ND RESPONDENT TO THE PETITIONER.

EXT. R2(C): COPY OF THE SHOW CAUSE NOTICE NO.56/97-98 DT. 25.12.97 OF THE PETITIONER ISSUED TO THE 2ND RESPONDENT.

EXT. R2(D): COPY OF REPRESENTATION DT. 13.1.1998 OF THE 2ND RESPONDENT ISSUED TO THE PETITIONER.

/TRUE COPY/

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P.K.SHAMSUDDIN (RETD. JUDGE) &
T.V.RAMAKRISHNAN (RETD. JUDGE)

O.P. No. 11445 OF 2003

Dated this the 24th day of November, 2006

A W A R D

P.K.SHAMSUDDIN (Rtd. Judge)

The counsel for the petitioner and also Secretary of the NSS Karayogam, Cherthala South and counsel for the second respondent appeared. After discussion, both parties agreed to settle the matter under the following terms:

1. The petitioner society shall pay to the second respondent a consolidated amount of Rs.28,000/- (Rupees Twenty eight thousand only) in two equal instalments within a period of 3 months.

2. The first instalment amount will be paid on 25th December, 2006 and the rest will be paid within 2 months thereafter, as stated above. In default of payment of the amount within the time specified, the amount will carry interest at the rate of 9% per annum.

3. The second respondent has filed CC No.414/03 and it is pending before the Second Class Judicial Magistrate, Cherthala. The second respondent agrees to withdraw the case on payment of the first

instalment. The petitioner has filed O.S.811/1999 and 806/1999 against the second respondent and those cases are pending at different stages. The second respondent agrees as a part of this settlement to withdraw these cases and there will not be any further proceedings in these cases. It is also agreed that in addition to this the petitioner will release the security deposit, if any made by the second respondent and also the security of property, if any furnished by the second respondent.

O.P. is disposed of in terms of the settlement mentioned above.

P.K.SHAMSUDDIN
(RETD. JUDGE)

T.V.RAMAKRISHNAN
(RETD. JUDGE)

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